

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Andersson, K.

Serial No. : TBA

Filed : January 4, 2002

For : NEW 3-ARYL-2-HYDROXYPROPIONIC ACID
DERIVATIVE I

Examiner : TBA

Group Art Unit : 1614

<p><u>"Express Mail" Label No. EL608305530US</u></p> <p>Date of Deposit <u>SEPTEMBER 22, 2003</u></p> <p>I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231</p> <p><i>BERNARD MAYS</i></p> <hr/> <p>(Type or print name of person mailing paper or fee)</p> <p><i>Bernard Mays</i></p> <hr/> <p>(Signature of person mailing paper or fee)</p>
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MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.97(b)

Sir:

The subject application is a continuation of U.S. Patent Application Serial No. 10/039,868, filed January 4, 2002 (the "'868 application"), which is a continuation of U.S. Patent Application Serial No. 09/861,163, filed May 18, 2001 (the "'163 application"), abandoned, which is a continuation of U.S. Patent Application Serial No. 09/341,904, filed July 20, 1999

(the “’904 application”), now US 6,258,850, which was the National Stage of International Application No. PCT/SE99/00941, filed May 31, 1999.

Applicant submits this communication in compliance with 37 C.F.R. §§1.56, 1.97 and 1.98. Favorable consideration of the documents cited on the attached Form PTO-1449 is respectfully requested.

COPIES OF CITED DOCUMENTS ARE NOT PROVIDED

Pursuant to 37 C.F.R. §1.98(d) and the waiver of the requirement of 37 C.F.R. §1.98(b)(1), copies of the documents cited on the attached Form PTO-1449 are not provided with this information disclosure statement.

Except for US 6,258,850, copies of the listed documents were previously listed in one or more statements submitted in compliance with 37 C.F.R. §1.98(a)-(c), and/or cited by the Office, in the prior ‘868, ‘163 and/or ‘904 applications. US 6,258,850 matured from the ‘904 great-grandparent application. Each of the prior ‘868, ‘163 and ‘904 applications are properly identified in this statement and are relied on for an earlier effective filing date under 37 C.F.R. §120. Therefore, copies of the documents listed in this statement are not required under 37 C.F.R. §1.98(d).

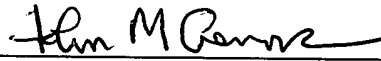
Furthermore, as announced in the Official Gazette of August 5, 2003, the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003 has been waived.

TIME OF TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

This information disclosure statement is being filed under 37 C.F.R. §1.97(b)(1) within three months of the filing date of the referenced national application and, therefore, a fee is not required in connection with the filing of this statement. However, if any fee is required, the Assistant Commissioner is authorized to charge such fee to Deposit Account No. 23-1703.

Dated: September 22, 2003

Respectfully submitted,



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FORM PTO-1449 (REV. 2-82) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT	Atty. Docket No. 1103326-0573	Serial No. TBA
	Applicant: Andersson, K.	
	Filing Date: September 22, 2003	Group: 1614

UNITED STATES PATENT DOCUMENTS

*Examiner Initial	Document No.							Date	Name	Class	Sub-Class	Filing Date, if Appropriate
	5	2	3	2	9	4	5	Aug. 3, 1993	Hulin	514	456	
	5	3	0	6	7	2	6	April 26, 1994	Hulin	514	375	
	6	0	4	8	8	8	3	April 11, 2000	Haigh et al.	514	370	
	6	0	5	4	4	5	3	April 25, 2000	Lohray et al.	514	226.2	
	6	2	5	8	8	5	0	July 10, 2003	Andersson	514	571	

FOREIGN PATENT DOCUMENTS

*Examiner Initial	Document No.							Date	Country	Class	Sub-Class	Translation Yes No	
	0	4	2	8	4	2	3	May 22, 1991	EP				X
	9	1	1	9	7	0	2	Dec. 26, 1991	WO				
	9	7	3	1	9	0	7	Sept. 4, 1997	WO				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	STN International, File CAPLUS, CAPLUS accession No. 1997: 684384; Sankyo Co., Ltd., et al: "Preparation of phenylalkylcarboxylic acid derivatives lowering blood sugar level", WO, A1, 9737970, 19971016
	Tetrahedron Letters, Vol. 35, No. 19, 1994, Geoffrey G. Cox et al., "Competing O-H Insertion and Beta-Elimination in Rhodium Carbenoid Reactions; Synthesis of 2-Alkoxy-3-arylpropanoates", pp. 3139-3142.

Examiner:

Date Considered:

*Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.